

COPY OF PA
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Docket 237/037

DAE
16

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. 6,142,532)
Issued: November 7, 2000) VIA FIRST CLASS MAIL
Name of Patentee: Adrian Gluck)
Title of Invention: MEMORABILIA CARD)

PETITION TO THE COMMISSIONER UNDER SECTION 1.181
(Or Alternatively Section 1.182 or 1.183)

Hon. Commissioner for Patents
Washington, D. C. 20231

RECEIVED

SEP 16 2002

OFFICE OF PETITIONS

Sir:

This is a Petition to the Commissioner seeking acknowledgement by the Patent Office of a minor typographical error that occurred in Application Serial No. 09/149,747 which matured as the above U.S. Patent No. 6,142,632.

The Examiner in his office action of November 25, 1998, rejected claims of the application under the judicially created doctrine of double patenting with regard to U.S. Patent No. 5,803,501. As a result, a Terminal Disclaimer was filed March 25, 1999, with respect thereto, but because of a typographical error, U.S. Patent No. "5,417,431" was named in the

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

August 31, 2002
Date of Deposit

Samuel B. Stone

Name of Person Mailing Paper

Samuel B. Stone
Signature of Person Mailing Paper

Terminal Disclaimer. There was a subsequent rejection letter dated June 22, 1999, by the Examiner because he indicated that the person who signed the Terminal Disclaimer was not recognized as an officer of the Assignee, and accordingly further papers were filed August 16, 1999, confirming the authority of the signature to the Terminal Disclaimer. A subsequent letter was filed on January 20, 2000, to clarify the identity of the signatories pursuant to a later request by the Examiner. As a result, a Notice of Allowance was issued June 5, 2000. Throughout the exchange of correspondence, no one, neither the Examiner nor the attorney prosecuting the application, noticed the typographical error with regard to the wrong patent number. Subsequently, a Request for a Certificate of Correction dated June 7, 2002, was filed after this typographical error was noted, along with supporting papers with regard to the error and documents confirming by the inventor and assignees, the typographical error and acknowledging that the Terminal Disclaimer was intended to be with regard to Patent No. 5,803,501 (which the Examiner has raised) rather than the incorrect Patent No. 5,417,431. The originals of these papers are already on file in the patent file, and copies are submitted herewith.

It is respectfully submitted that this matter merely involves a typographical error with respect to a patent number, and correction and acknowledgement of the same does not in any way extend the monopoly of present Patent No. 6,142,532. Accordingly, granting of a Petition acknowledging the error and correction thereof is requested.

The Commissioner is authorized to charge the Petition fee in the amount of \$130.00, and any other fees which may be required for this petition, to Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: August 30, 2002

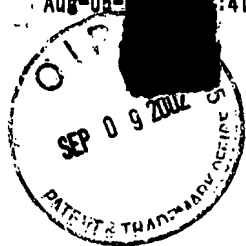
By



Samuel B. Stone – Reg. No. 19,297
Attorney for Patentee/Petitioner

633 W. Fifth Street, 47th Floor
Los Angeles, CA. 90071
(213) 489-1600

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237/037



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY OF COMMERCE AND
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

July 25, 2002

Patent No: 6,142,532
Inventor (s): Adrian Gluck
Issued: November 7, 2000
MEMORABILIA CARD

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction and a corrected patent under the provisions of Rules 1.322 (b).

Respecting the alleged error in the Disclaimer, the patent is printed in accordance with the record. Therefore no correction(s) is in order here under United States (U.S.C.) 254 and the Code of Federal Regulation (C.F.R.) 1.322.

In view of the foregoing, your request is hereby denied.

Future correspondence concerning this matter, should be filed and directed to:

U.S. Patent and Trademark Office
Washington, D. C. 20231
Attn: Decision & Certificates of Correction Branch

Mary A. Higgins
Cecilia Newman, Supervisor
Decisions and Certificate of Correction
Branch
(703) 305-8309 or 305-8793

SAMUEL B. STONE
LYON & LYON
633 W. FIFTH STREET 47TH FLOOR
LOS ANGELES, CA 90071

cbn/mfd

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SEP 16 2002

OFFICE OF PETITIONS

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JUL 29 2002
U.S. PROSECUTION



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Patent
237/037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number:	6,142,532)	VIA FACSIMILE
Issued:	November 7, 2000)	IMMEDIATE ATTENTION
Name of Patentee:	Adrian Gluck)	REQUESTED
Title of Invention:	MEMORABILIA CARD)	

REQUEST FOR EXPEDITED CERTIFICATE OF CORRECTION

Commissioner for Patents
Washington, D.C. 20231

Attention: Certificate of Correction Branch

The owner of U.S. Patent No. 6,142,253 hereby urgently requests **EXPEDITED** issuance of a Certificate of Correction. Any fees may be charged to Lyon & Lyon's Deposit Account No. 12-2475.

Enclosed are:

1. Request for Certificate of Correction of Patent (3 pages)
2. PTO-1050 (PTO/SB/44) Proposed Certificate of Correction (1 page)
3. Correction of Typographical Error and Consent and Acknowledgement of Terminal Disclaimer signed by the inventor, Adrian Gluck, and by the patent owner, L.N.C.J. Ltd. (17 pages)

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OFFICE OF PETITIONS

Respectfully submitted,

LYON & LYON LLP

By James T. Carmichael
James T. Carmichael
Reg. No. 45,306

Dated: June 7, 2002



COPY OF PAPERS
ORIGINALLY FILED

Patent
237/037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Number: 6,142,532
Issued: November 7, 2000
Name of Patentee: Adrian Gluck
Title of Invention: MEMORABILIA CARD

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT

Commissioner for Patents
Washington, D.C. 20231

Attention: Certificate of Correction Branch

RECEIVED
SEP 16 2002
OFFICE OF PETITIONS

A certificate of correction is requested herein to replace the reference to Patent "No. 5,417,431" with Patent -- No. 5,803,501 -- in Terminal Disclaimer papers filed in the application which matured into the above patent because the reference to Patent No. 5,417,431 was a clerical or typographical error of a minor character.

A Terminal Disclaimer was filed because the Examiner in the Office Action of November 25, 1998, rejected certain claims under the judicially created doctrine of double patenting over claims of U.S. Patent No. 5,803,501. Obviously, the intent in filing the Terminal Disclaimer was to overcome the double patenting rejection as offered by the Examiner, and the attorney prosecuting the application, the signator to the Terminal Disclaimer and the Examiner overlooked this typographical error.

The intent at all times was to perfect a Terminal Disclaimer with respect to 5,803,501, and the error in naming Patent No. 5,417,431 was merely a typographical one with no deceptive intent. The Examiner had based his rejection on 5,803,501 and thus no reexamination is needed. Furthermore, there is no new matter involved.

The purpose of the present Certificate of Correction is to correct this typographical error and make it of record, as well as to provide a confirmation from the then-identified assignee, as well as the subsequent assignees in the chain of title to the present acknowledging and confirming the disclaimer in the present Patent No. 6,124,532 with respect to Patent No. 5,803,501.

Submitted herewith are executed acknowledgements of the typographical error and agreement to the terminal disclaimer with respect to Patent No. 5,803,501 in this Patent No. 6,124,532.

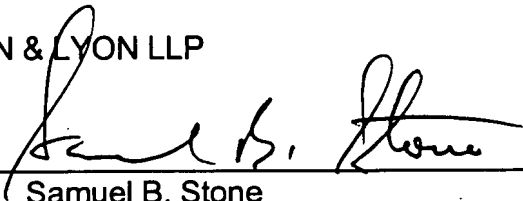
Please send the Certificate to:

Name: Samuel B. Stone
Address: Lyon & Lyon LLP
633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(949) 567-2300

Respectfully submitted,

LYON & LYON LLP

By


Samuel B. Stone
Reg. No. 19,297



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Patent
251/187

NOTE: "A certificate of correction, under 35 U.S.C. 254, may be issued at the request of the patentee or his assignee." 37 CFR 1.322(a). The certificate of correction can be signed by the attorney of record who acts on behalf of the inventor(s) or assignee(s).

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO : 6,142,532

DATED : November 7, 2000

INVENTOR(S) : Adrian Gluck

It is certified that a typographical error appears in the Terminal Disclaimer filed on March 25, 1999, in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

-- Replace the reference to Patent No. "5,417,431" with Patent No. -- 5,803,501 -- in the Terminal Disclaimer documents on file, namely the Terminal Disclaimer filed March 25, 1999, and referred to in documents filed August 16, 1999, and January 20, 2000.

MAILING ADDRESS OF SENDER:

Samuel B. Stone
Lyon & Lyon
633 W. Fifth Street, 47th Floor
Los Angeles, CA. 90071
(949) 567-2300

PATENT NO. 6,142,532

No. of additional copies



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Patent
Attorney Docket: 237/037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of
Adrian Gluck
Patent No.: 6,142,532
Issued: November 7, 2000
For: MEMORABILIA CARD

CORRECTION OF TYPOGRAPHICAL ERROR AND CONSENT AND ACKNOWLEDGEMENT OF TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D.C. 20231

Sir:

The parties named below, including the inventor Adrian Gluck and Assignees L.N.C.J. Limited and Media Technologies Licensing, LLC., acknowledge that a typographical error occurred in referring to Patent No. 5,417,431 rather than Patent No. 5,803,501 in the Terminal Disclaimer papers filed March 25, 1999 (copy attached). The intent of the Terminal Disclaimer was to overcome a double patenting rejection by the Examiner with regard to Patent No. 5,803,501, and the reference therein to Patent No. 5,417,431 was merely an inadvertent typographical error.

The undersigned reconfirm, consent to and acknowledge the Terminal Disclaimer for this Patent No. 6,142,532 with respect to Patent No. 5,803,501.

By

Adrian Gluck

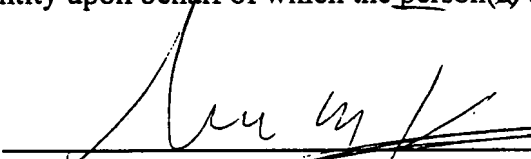
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SEP 16 2002
OFFICE OF PETITIONS

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

On 05-14-2002 before me, MAHSHID H. KASHANI, personally appeared
ADRIAN GLUCK /

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to
be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me
that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted,
executed the instrument.

WITNESS my hand and official seal.



Notary Public in and for said County and State

SEAL



L.N.C.J. LIMITED

By _____
Paul M. Van Neste - Director

STATE OF _____)
COUNTY OF _____) ss

On _____ before me, _____, personally appeared

☐ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said County and State

SEAL

MEDIA TECHNOLOGIES LICENSING, LLC.

By Kinter Management Inc.
Adrian Gluck, President

STATE OF CALIFORNIA)
) ss
COUNTY OF LOS ANGELES)

On 05-14-2002 before me, MAHSHID H. KASHANI, personally appeared
ADRIAN GLUCK,

☐ personally known to me - OR - ☒ proved to me on the basis of satisfactory evidence to be the person(x) whose name(x) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Ma
Notary Public in and for said County and State

SEAL





COPY OF PAPERS
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Patent
Attorney Docket: 237/037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent of)

Adrian Gluck)

Patent No.: 6,142,532)

Issued: November 7, 2000)

For: MEMORABILIA CARD)

CORRECTION OF TYPOGRAPHICAL ERROR AND CONSENT AND
ACKNOWLEDGEMENT OF TERMINAL DISCLAIMER

Commissioner for Patents
Washington, D.C. 20231

RECEIVED
SEP 16 2002
OFFICE OF PETITIONS

Sir:

The parties named below, including the inventor Adrian Gluck and Assignees L.N.C.J. Limited and Media Technologies Licensing, LLC., acknowledge that a typographical error occurred in referring to Patent No. 5,417,431 rather than Patent No. 5,803,501 in the Terminal Disclaimer papers filed March 25, 1999 (copy attached). The intent of the Terminal Disclaimer was to overcome a double patenting rejection by the Examiner with regard to Patent No. 5,803,501, and the reference therein to Patent No. 5,417,431 was merely an inadvertent typographical error.

The undersigned reconfirm, consent to and acknowledge the Terminal Disclaimer for this Patent No. 6,142,532 with respect to Patent No. 5,803,501.

By _____
Adrian Gluck

STATE OF CALIFORNIA)
) ss
COUNTY OF _____)

On _____ before me, _____, personally appeared
ADRIAN GLUCK

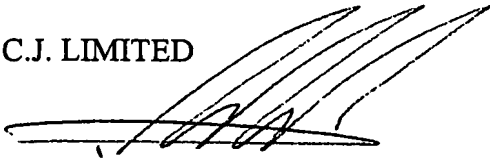
☐ personally known to me - **OR** - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said County and State

SEAL

L.N.C.J. LIMITED

By 
Paul M. Van Neste - Director

STATE OF _____)
COUNTY OF _____) ss

On _____ before me, _____, personally appeared

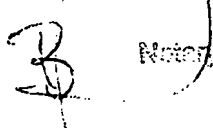
☐ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said County and State

The Signatures of Paul Michael Van Neste
is/are subscribed to the within instrument and acknowledged to me
on this _____ day of _____, 2002, by the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me today by the signatory as being the person(s) acting.

Dated this 21st of May, 2002


Notary Public, Jersey

MEDIA TECHNOLOGIES LICENSING, LLC.

By _____
Adrian Gluck

STATE OF CALIFORNIA)
) ss
COUNTY OF _____)

On _____ before me, _____, personally appeared

☐ personally known to me - OR - ☐ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Notary Public in and for said County and State

SEAL



COPY PAPERS
ORIGINALLY FILED

Patent
237/037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ADRIAN GLUCK

Serial No.: 09/149,747

Filed: September 8, 1998

For: MEMORABILIA CARD

)
) Group Art Unit: 3722

)
) Examiner: P. Han

)
) March 25, 1999

AMENDMENT TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment for the above-identified application.

- ☒ "Small Entity Status" of this application under 37 CFR §§ 1.9 and 1.27 has been established by a Verified Statement previously submitted.
- ☐ A Verified Statement to establish "Small Entity Status" under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

OC-23050.1

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

March 25, 1999
Date of Deposit

Jodie Davis

Name of Person Mailing Paper


Signature of Person Mailing Paper

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
1 month	<input checked="" type="checkbox"/> \$55.00	<input type="checkbox"/> \$110.00
2 months	<input type="checkbox"/> \$190.00	<input type="checkbox"/> \$380.00
3 months	<input type="checkbox"/> \$435.00	<input type="checkbox"/> \$870.00
4 months	<input type="checkbox"/> \$680.00	<input type="checkbox"/> \$1,360.00

- ☐ An extension for _____ months has already been secured and the fee paid therefor of _____ is deducted from the total fee due for the total months of extension now requested.
- ☒ Extension fee due with this Request \$55.00.
- ☒ If an additional extension of time is required, please consider this a petition therefor.

FEEES FOR CLAIMS:

The fees for claims (37 CFR § 1.16(b)-(d)) have been calculated as shown below:

	Claims Remaining After Amendment	Highest No. Previously paid for				
Total Claims	15	-	20	=	0	x \$18.00 \$0.00
Independent Claims	4	-	4	=	0	x \$78.00 \$0.00
Multiple Dependent Claims	\$260	(if applicable)				<input type="checkbox"/> \$0.00
TOTAL OF ABOVE CALCULATIONS						\$0.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28. If applicable, Verified Statement must be attached.						<input type="checkbox"/> \$0.00
TOTAL FEES FOR CLAIMS SUBMITTED HEREWITH						\$0.00

- ☒ Terminal Disclaimer - Fee \$110.00
- ☒ A check in the amount of \$165.00 is enclosed to cover the above fee(s).
- ☐ Charge Deposit Account No. 12-2475 in the amount of _____.



The Commissioner is authorized to charge Counsel's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16 and 1.17 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **12-2475**.

Respectfully submitted,

LYON & LYON LLP

By: 

Samuel B. Stone
Reg. No. 19,297
Attorneys for Applicant

Dated: March 25, 1999

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(714) 751-6606 - (213) 489-1600



Patent
237/037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ADRIAN GLUCK

Serial No.: 09/149,747

Filed: September 8, 1998

For: MEMORABILIA CARD

Group Art Unit: 3722

Examiner: P. Han

March 25, 1999

AMENDMENT

B

**Assistant Commissioner for Patents
Washington, D.C. 20231**

Sir:

In response to the Office Action dated November 25, 1998, please amend the above-identified application as follows:

IN THE CLAIMS:

Claim 7, line 2, change “the said face” to -- said face --.

OC-23048.1

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

March 25, 1999
Date of Deposit

Jodie Davis

Name of Person Mailing Paper

~~Signature of Person Mailing Paper~~

REMARKS

Reconsideration of this application is requested.

Claim 7 has been amended to correct the language problem noted by the Examiner.

With regard to the double patenting rejection, a Terminal Disclaimer is filed herewith. It is noted that this is a fax copy from the Assignee of the present application, and the original will be forwarded for filing in this application when it is received by mail.

Turning now to the Section 102 and 103 rejection, it is respectfully submitted that the cited German patent does not anticipate or make obvious the subject matter of the present claims. Furthermore, and more importantly, the parent of the present application was filed in the United States on December 15, 1994, and the German patent only has a publication date of July 13, 1995, and, thus, does not seem to be relevant prior art.

In view of the foregoing, a Notice of Allowance is earnestly solicited.

We enclose our check No. 1671 in the amount of \$165.00 as payment of the disclaimer fee (\$110) and one (1) month extension of time (\$55). The Commissioner is authorized to charge Counsel's Deposit Account No. **12-2475** for any fees required that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account **12-2475**.

Respectfully submitted,

LYON & LYON LLP

Dated: March 25, 1999

By: 

Samuel B. Stone
Reg. No. 19,297
Attorneys for Applicant

633 West Fifth Street, Suite 4700
Los Angeles, California 90071-2066
(714) 751-6606 or (213) 489-1600



COPY OF PAPERS
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Patent
237/037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

ADRIAN GLUCK

Serial No.: 09/149,747

Filed: September 8, 1998

For: MEMORABILIA CARD

) Group Art Unit: 3722

) Examiner: Frances Han

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

LNCJ LIMITED, owner of the full and exclusive right, title and interest in and to the above-identified application (per an assignment dated May 6, 1996, recorded at Reel 7951, Frame 0213 (4 pages) in the records of the United States Patent and Trademark Office) hereby disclaims the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of commonly assigned U.S. Patent No. 5,417,431. LNCJ Ltd. also agrees that any patent granted on the above-identified application shall be enforceable only for and during such period that the legal title to the patent to be granted on the above-identified application shall be the same as the legal title to U.S. Patent No. 5,417,431, and that this agreement shall run with the patent to be

Patent
237/037

granted on the above-identified application and shall be binding on LNCJ Limited, its successors, and assigns.

LNCJ Limited does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 5,417,431, in the event that U.S. Patent No. 5,417,431 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

This terminal disclaimer applies to any patent granted on the above-identified application or on any application which is entitled to the benefit of the filing date of this

Patent
237/037

application under 35 U.S.C. 120. This disclaimer is binding upon the grantee, its successors, or assigns.

Dated: 243 99

LNCJ LIMITED

By

(Signature)

G. HUTTON

Printed Name

DIRECTOR

Title